

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SCOTT KINGSTON,

Plaintiff,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant.

CASE NO. C19-1488 MJP

SPECIAL VERDICT FORM

We the jury, provide the following answers to the questions submitted by the Court:

**QUESTION NO. 1:** As to Claim 1, has Mr. Kingston proved his claim for retaliation in violation of the Washington Law Against Discrimination?

ANSWER: Yes (write Yes or No).

1       **QUESTION NO. 2:** As to Claim 2, has Mr. Kingston proved his claim for wrongful  
2 termination in violation of public policy regarding race discrimination?

3       ANSWER: Yes (write Yes or No).

4  
5       **QUESTION NO. 3:** As to Claim 3, has Mr. Kingston proved his claim for wrongful  
6 termination in violation of public policy regarding the withholding of wages of Jerome Beard?

7       ANSWER: Yes (write Yes or No).

8  
9       **QUESTION NO. 4:** As to Claim 4, has Mr. Kingston proved his claim for unpaid  
10 commissions to Mr. Kingston from the first quarter of 2018?

11       ANSWER: Yes (write Yes or No).

12       *If you answered "Yes" to any of Questions 1 through 4, please answer Question 5. If you*  
13 *answered "No" to Questions 1, 2, 3, and 4, then do not answer the remaining questions, and*  
14 *please sign and date the special verdict form.*

15  
16       **QUESTION NO. 5:** Did Mr. Kingston suffer damages proximately caused by the actions  
17 of International Business Machines Corp.?

18       ANSWER: Yes (write Yes or No).

19       *If you answered "Yes" to Question No. 5, please answer Question No. 6. If you answered*  
20 *"No" to Question No. 5, then do not answer the remaining questions, and please sign and date*  
21 *the special verdict form.*

22       \\

23       \\

**QUESTION NO. 6:** What do you find to be the amount of damages sustained by Mr. Kingston?

Economic damages, if any, in the following categories:

A. Past Economic Loss \$ 1,874,302

B. Future Economic Loss \$ 3,097,642

C. Unpaid Sales Commissions \$ 113,728

Non-economic damages:

D. Emotional Harm \$ 6,000,000

**Presiding Juror, please sign and date this Special Verdict Form. You may sign this by writing: /s [presiding juror name].**

Dated: April 15, 2021.

